

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

JANE DOE, *et al.*

Plaintiffs-Appellants,

vs.

HOWARD ZUCKER, *et al.*

Defendants-Appellees.

Civil Action No.: 1:20 – CV – 0840  
(BKS/CFH)

**ORDER TO SHOW CAUSE**

Upon the annexed (i) declaration of Sujata Gibson, Esq., sworn to the 17<sup>th</sup> day of November 2020, and the exhibits referenced therein or annexed thereto; and (ii) Memorandum of Law in Support of plaintiffs' motion for emergency injunctive relief; it is hereby:

**ORDERED** that the defendants in the above-named case show cause before this Court in the United States District Court for the Northern District of New York, located at 100 South Clinton Street, Syracuse, New York 13261 on or before \_\_\_\_\_ at \_\_\_\_\_ am/pm or as soon as counsel can be heard why an order should not be issued pursuant to Federal Rule of Civil Procedure 62(d):

- 1) Enjoining defendants from excluding children from access to online or other remote educational opportunities on the basis of vaccination status if the child has submitted a certification from a New York licensed physician certifying they are at risk of harm; or
- 2) In the alternative, granting the same relief pending Second Circuit review of an application to grant such emergency injunction pending appellate review; and
- 3) For such other further or different relief as the Court deems appropriate; and it is further

**ORDERED** that sufficient reason having been shown pending the submission of opposing papers, but in no event beyond fourteen days from the issuance of this order unless extended by the Court, the defendants are temporarily restrained from excluding any child from online education on the basis of vaccination status so long as that child has submitted a certification from a licensed New York physician certifying that the vaccine in question may cause the child harm; and it is further

**ORDERED** that no security should be required of the plaintiffs because defendants will incur no additional expense from the relief sought herein; and it is further

**ORDERED** that service of a copy of this order on defendants through their counsel of record by ECF no later than \_\_\_\_\_ at \_\_\_\_\_ am/pm shall be deemed good and sufficient service thereof; and it is further

**ORDERED** that opposing papers shall be filed and served by ECF on all counsel of record no later than \_\_\_\_\_ at \_\_\_\_\_ am/pm.

Dated:

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United States District Court Judge